

1 *E-Filed: June 30, 2015*

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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SALVATORE MARINO,

No. C 15-02935 HRL

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Plaintiff,

ORDER REFERRING CASE TO
ADR UNIT FOR ASSESSMENT
TELEPHONE CONFERENCE

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v.

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U.S. BANK, N.A.,

Defendant.

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Pursuant to Civil Local Rule 16-8 and ADR Local Rule 2-3, the Court refers this foreclosure-related action to the Alternative Dispute Resolution (ADR) Unit for a telephone conference to assess this case's suitability for mediation or a settlement conference. Plaintiff and Defendant's counsel shall participate in a telephone conference, to be scheduled by the ADR Unit as soon as possible but no later than July 21, 2015.

Plaintiff and Defendant's counsel shall be prepared to discuss the following subjects:

1 (1) Identification and description of claims and
2 alleged defects in loan documents.
3 (2) Prospects for loan modification.
4 (3) Prospects for settlement.

5 The parties need not submit written materials to the ADR Unit for
6 the telephone conference.

7 In preparation for the telephone conference, Plaintiff shall
8 do the following:

9 (1) Review relevant loan documents and investigate the
10 claims to determine whether they have merit.
11 (2) If Plaintiff is seeking a loan modification to
12 resolve all or some of the claims, Plaintiff shall
13 prepare a current, accurate financial statement and
14 gather all of the information and documents
15 customarily needed to support a loan modification
16 request. Further, Plaintiff shall immediately
17 notify Defendant's counsel of the request for a loan
18 modification.
19 (3) Provide counsel for Defendant with information
20 necessary to evaluate the prospects for loan
21 modification, in the form of a financial statement,
22 worksheet or application customarily used by
23 financial institutions.

24 In preparation for the telephone conference, counsel for
25 Defendant shall do the following.

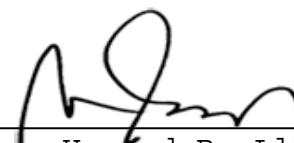
26 (1) If Defendant is unable or unwilling to do a loan
27 modification after receiving notice of Plaintiff's
28 request, counsel for Defendant shall promptly
 notify Plaintiff to that effect.
 (2) Arrange for a representative of each Defendant with
 full settlement authority to participate in the
 telephone conference.

29 The ADR Unit will notify the parties of the date and time
30 the telephone conference will be held. After the telephone

1 conference, the ADR Unit will advise the Court of its
2 recommendation for further ADR proceedings.

3 IT IS SO ORDERED.
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5 Dated: June 30, 2015
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Hon. Howard R. Lloyd
United States Magistrate Judge